

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALAN ALEJANDRO MARTINEZ-LEON,

Defendant.

4:13CR3080

MEMORANDUM AND ORDER

The defendant is charged with knowingly and intentionally distributing 5 grams or more of methamphetamine. He is not a United States citizen and is subject to an immigration detainer. He was initially detained, but now seeks to be released to live with his girlfriend. The defendant explains that he “does not have a prior deportation on his record, but rather has a previous voluntary departure,” and “[u]nder immigration law, the Defendant would be eligible for bond in the Immigration Court.” Filing No. 32.

Upon review of the defendant’s record as set forth in the pretrial services report, the immigration detainer, the application for an arrest warrant, and upon consideration of the charges for which there is a presumption of detention,

IT IS ORDERED that the defendant’s motion for a hearing to reconsider his detention, (Filing No. 32), is denied.

August 8, 2013

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge